

## Agenda for August 28, 1995

### Major Issues To Be Discussed/Resolved

#### **1. Building Inspections**

##### Coalition Position

Surprise inspections at buildings quarterly, with at least one week's advance notice to the tenant association. (Proposed April, 1995.)

##### HUD Position

HUD agreed to hold surprise inspections on an intermittent basis, concentrating on the worst building, but also including some buildings which are considered "in the middle," and will notify the Tenants Association representatives or Coalition one week prior to inspections so they can be involved in the inspection process. (Meeting of April 16 with Helen Dunlap in Newark.)

A "Physical Inspection Procedure" was written by Connie Loukatos and is attached. This proposal was worked out with Mr. Claybrook of the NJHFMA at a meeting on May 11, 1994.

##### NJHFMA Position

Ms. Foglio: Two inspections per year, one through management personnel, one through/with the Tenant Association (without notifying building personnel). (March 31, 1993 correspondence.)

Mr. Oskowsky: Because of the volume of properties, surprise inspections would only be possible in developments with specific problems, plus follow-up inspections. A Tenant Association representative could accompany NJHFMA inspector only on follow-up inspections. (June 2, 1995 correspondence.)

*Question: How do we get effective and through building inspections? Can the "Physical Inspection Procedure" written by Ms. Loukatos and Mr. Claybrook be adopted as standard procedure?*

## **2. Rent Increase Procedures**

### Coalition Position

Extend the 30 day review period and take other steps to give tenant sufficient time to review rent increase proposals.

### HUD Position

HUD will notify the Tenant representative when a rent increase application is received in its office. HUD was exploring a "tenant representative" or Coalition "sign-off" to certify that the rent increase application materials were indeed available for the whole 30 days. (Loukatos correspondence, May 1994.)

HUD also said they would explore what would be needed to extend the 30 day comment period, since that must be done by the legislature.

### NJHFMA Position

Mrs. Foglio: Building managers should be required to keep a copy of rent increase application documents in their office, and t provide a copy to the Tenants Association President. (March 31, 1993 correspondence.)

Mr. Oskowsky: NJHFMA will provide a copy of the rent increase package to the Tenant Association upon written request from the Association. (June 2, 1995 correspondence.) It was also stated at the May 2, 1995 meeting that if the duplicate package is not available in the

manager's office as it should be there would be an automatic 15 day extension to the review period.

*Question: How can we guarantee that tenants get the rent increase application in sufficient time to review it thoroughly?*

### **3. Use Of Community Rooms**

#### **Coalition Position**

Access to the community room is key, as it is the "heartbeat" of the building, and important to building quality programs, increasing neighborliness, etc. All buildings in the HUD and NJHFMA portfolio should have community rooms that are accessible for Tenant Association programs and functions. (May 2, 1995 meeting wit NJHFMA.)

#### **HUD Position**

Same as above, as stated in their Tenants Rights bookiet (issued in late 1994).

#### **NJHFMA Position**

Same as above (meeting with Francis Thomas, June 12, 1995) but unclear whether it applies to all buildings (including "market jobs", such as Overlook Terrace).

*Question: Can all Tenant Associations, including "market jobs," have access to community rooms for their functions and meetings?*

### **4. Waiting List**

#### **Coalition Position**

There should be a standard procedure for keeping waiting lists, and more HUD oversight of this process; a copy of waiting list (kept current) should be sent to one person at HUD (and/or NJHFMA) and should be available for inspection by tenants (proposed March 24, 1994).

#### HUD Position

HUD was working on waiting list issues at the national level, and has since issued new regulations which are attached.

#### NJHFMA Position

NJHFMA policy is being clarified, according to June 12, 1995 meeting with Mr. Thomas. Currently, a recertification person at NJHFMA has a copy of the waiting list. Tenants are entitled to know their number on the list, and to continue to inquire periodically. The management is supposed to "update" the waiting list by sending a letter periodically to ask if people still wish to remain on it.

*Question: Does each Agency have a "point person" on waiting list issues who is updating and monitoring management actions? What can be done to make the waiting list procedures less subject to abuse, and more fair to all?*

#### **5. Security Checks, Training and Evaluation for Managers and Contractors**

##### Coalition Position

There should be training, screening and evaluation by tenants for managers. Training should include "resident relations." Require yearly written evaluation by the Tenant Association/Residents of all contracts and services in the building, and deny renewal of contracts if services are not satisfactory (proposed March 24, 1993 meeting).

##### HUD Position

National HUD is working on ways to have input from tenants be part of management review. Ms. Dunlap said that HUD could not require that tenants be involved in specific contract

review, but that HUD could send the message that "tenants' opinions are important." (Meeting with Helen Dunlap, April 16, 1964.)

#### NJHMFA Position

Ms. Foglio: The Agency is pursuing a policy that will require security checks on all building employees, and requiring all building managers to attend annual training and recertification seminars.

Mr. Oskowsky: managers are required to be certified and to attend NJHFMA training, which would include dealing with tenants and tenant complaints in a professionals manner. (Meeting May 2, 1995.) The Agency is pushing owners to do security checks on employees, but does not know if this is being done at all buildings.

*Question: Is there adequate, annual, required training for managers so they can deal with their properties and residents in a professional way? How can residents make their opinions "matter" in evaluating services and management in their buildings?*

#### **6. Security**

##### Coalition Position

Security firms often do a poor job, and are sometimes part of the problem.

*Question: Can security firms be certified as is done in New York State? Would it be too costly?*

**7. Transfers**

**NIHFMA**

All developments provide a copy of their transfer policy to the Agency as well as to the Tenant Association. Each development will forward a copy of their "transfer waiting list" to be monitored by the Agency. (Correspondence, June 2, 1995.)

*Question: Are policies consistent for all building, and are there guidelines that managers must follow on transfers? Who are the persons responsible at each agency for monitoring transfer policies if there is a tenant complaint?*

**8. Fees & Charges**

**Coalition Position**

Fees and charges vary widely from one building to another and can be seen by residents as arbitrary and capricious. They need to be monitored and perhaps some guidelines established which are consistent for all developments. (Meeting with Chris Foglio, March 1993.)

**NIHFMA Position**

The Agency will attempt to develop a general schedule of fees and charges for the repair and replacement of various items that are chargeable to resident. All fees must fall within the guidelines established by HUD. (Correspondence June 2, 1995.)

Mr. Thomas said an Agency/Manager Task Force is developing this schedule, but the Coalition requested tenant review before any schedule is adopted. (May 2, 1995 meeting.)

*Question: How can we move toward establishing fairness in policies affecting fees and charges?*

**9. Regular, Ongoing Communication**

The Coalition, HUD and New Jersey Housing Mortgage Finance Agency all agree that regular meetings between all parties would be helpful.

*Question: What type of regular meetings and communication should be established in order to be most helpful?*

**10. List Of Agents**

The list of representatives responsible for each building was provided by HUD, but not by NJHFMA. The Coalition would like to receive this list, and would periodically update this list.

**11. Harassment**

Coalition Position

Tenants should not be singled out or harassed for speaking out about conditions in their building, or organizing a Tenants Association.

HUD's Position

Recent publications (Tenant Rights booklet, 1994) have stated that harassment is against policy.

NJHFMA's Position

Any tenant who feels that they are being harassed because of speaking up or organizing in their building should report to NJHFMA management staff and to the Agency director for assistance.

*Question: What types of protections, grievance procedure, etc. do tenants have in cases of harassment?*

12. **Additional Miscellaneous**

Code Violations

What is agency policy in dealing with code violations? Are both Agencies routinely notified when they occur, and are the Agencies involved in making sure that the violation is corrected?

Management Interference In Tenant Associations

What do residents do in cases in which management interferes with Tenant Association activity, for example by eliminating tenant run programs, telling Tenant Associations that they are not allowed to have certain speakers in their buildings, etc.?



## **Summary of August 28, 1995 Meeting**

### **1) Building Inspections**

All parties agreed to use the procedure which is attached. The Coalition will be notified, and tenant representatives will be part of the initial inspection (except in areas which are restricted due to safety reasons). Mr. Thomas will check on whether a copy of the inspection report can be released to the Coalition, or tenant representative.

Number of inspections: NJHFMA - 1 per year, plus re-inspection.

HUD- review and inspects troubled projects - does occupancy and management reviews

### **2) Rent Increases**

NJHFMA: Tenants should notify NJHFMA if copy is not in the manager's office when it should be. If it is not, the review period will be extended 15 days automatically, and a copy of the rent increase application materials will be mailed to the Tenant Rep.

HUD - Dona Russell is the person who receives rent increase applications, and she should notify the Coalition when she receives one. The Coalition will provide a list of member buildings to HUD.

### **3) Community Rooms**

All parties agreed that all Tenant Associations (even "market jobs" like Overlook Terrace) should have access to community rooms in their buildings for meetings, and other programs of benefit to the residents.

Zion Towers residents raised the issue of the paint being used in their building which is making people sick. Mr. Thomas agreed to investigate and try to do something. Residents pointed out that management often knows who is causing problems in the building, but does not take timely steps to remove them.

### **4) Waiting List**

NJHFMA: Agents responsible for each building have a copy of the waiting list, and match information on new people coming into the building against the list. If the name is not on the waiting list, or in the wrong sequence, they should question it. Management is not supposed to throw out the old waiting list, if a new manager is brought on.

Since HUD has such a small staff, with one person responsible for 80 or 90 properties, they cannot do a close follow up of waiting lists, however if there is a complaint, they can and do investigate it. They do occupancy reviews at buildings.

and { A question was raised about why there are so many vacancies in the buildings. This should be addressed at a future meeting.

{ Both NJHFMA and HUD stressed that complaints should be in writing, if you want to have a record, and make sure the problem is addressed.

#### 5) Training and Evaluation of Managers and Service Providers

HUD: There is no required training, but many managers belong to Institute of Real Estate Management (IRM) and take courses. Turnover and costs are factors. If special training is required, the cost will eventually be picked up by residents.

Some buildings currently have residents fill out "resident questionnaires", which evaluate managers and service providers. Coalition suggests that this be used for all buildings, and be part of the rent increase application, or a yearly review. Ms. Loukatos said that tenant input could be solicited when HUD does an occupancy or management review, setting aside a specific evaluation time at the site for example. A suggestion was made that the Coalition help HUD review and revamp (if needed) a "resident questionnaire, which could be available for use at all buildings. Ms. Loukatos said she would provide a copy of the "resident questionnaire" which is used at the Collonades.

NJHFMA: Encourages all managers to be trained, or members of IRM. Holds an annual managers conference. Mr. Thomas invites all residents to attend the Conference, and also mentions the N.J. Black Issues Conference on Sept. 28, which has housing workshops, as something tenants may want to attend. NJHFMA has an annual management review they do, and they figure in the number of complaints they get from residents. NJHFMA was open to using "resident questionnaire forms".

#### 6) Security Contracts as in New York State

The Coalition will get the information on law in New York State. NAHT's Security Committee will meet in Sept. , and Bill Good will let Ms. Loukatos or Greg Verdeschi at HUD know the time and place.

There was a long discussion of security problems, and the question of what happened to the SNAP process. The Coalition agreed to encourage the city to participate in this process. All parties agreed to focus on security again at a future meeting. Mr. Thomas talked about the importance of educational programs for young people, and activities which will involve them in alternatives to drug life style.

#### 7) Transfers

NJHFMA: Each building has a transfer policy. If the policy is deficient, NJHFMA person can work with manager/residents to rewrite it. HUD: Complaints will be investigated.

#### 8) Fees and Charges:

HUD: Fees must be "reasonable", and resident is responsible if they destroy or vandalize property. NJHFMA: is in the process of developing a schedule of fees which are "reasonable". The Coalition has asked to review this before it is adopted.

#### 9) Regular Communication.

All parties agreed, but no discussion of specifics.

#### 10) List of Agents

Both HUD and NJHFMA have provided.

#### 11) Harassment

All parties agreed that it should not happen. A discussion ensued about the role of HUD or NJHFMA in clear cases of harassment. Bill Good suggested reviewing the language in HUD's new handbook concerning penalties, including monetary penalties, for harassment. Mr. Thomas said there are penalties, and mentioned one case in which a manager was being suspended and barred.

#### 12) Miscellaneous

Because of time limitations, this item was not addressed and was tabled to the next meeting.

Additional: Matthew Reed from the Tenant Preservation Project asked whether the procedures which were agreed on would apply only to Coalition buildings, or to all buildings in New Jersey. It was agreed that if the procedures were workable, there was no reason why they should not apply across the board to all the buildings.